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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 FRED LAVENDER,
15 Defendant.
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CASE NO. 2:19-CR-239-TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: July 16, 2020
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on July 16, 2020.
- 21 2. By this stipulation, defendant now moves to continue the status conference until August
22 6, 2020, at 9:30 a.m., and to exclude time between July 16, 2020, and August 6, 2020, under Local Code
23 T4.
- 24 3. The parties agree and stipulate, and request that the Court find the following:
- 25 a) The government has represented that the discovery associated with this case
26 includes approximately 75 pages of reports and 19 audio or video recordings. All of this
27 discovery has been either produced directly to counsel and/or made available for inspection and
28 copying.

1 b) Counsel for defendant desires additional time to consult with her client, review
2 the charges, continue to further research the defendant's criminal history, further research
3 possible defenses, further review evidence, discuss possible defenses and resolution, engage in
4 further plea negotiations with the assigned AUSA, and otherwise prepare for trial. Counsel will
5 also be personally unavailable on July 16, 2020, and is requesting to move the date so that she
6 will be available.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny her the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of July 16, 2020 to August 6, 2020,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
17 because it results from a continuance granted by the Court at defendant's request on the basis of
18 the Court's finding that the ends of justice served by taking such action outweigh the best interest
19 of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 10, 2020

McGREGOR W. SCOTT
United States Attorney

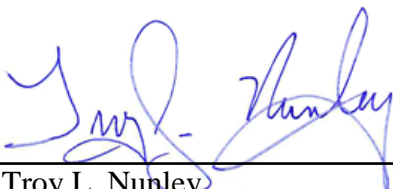
/s/ MICHAEL W. REDDING
MICHAEL W. REDDING
Assistant United States Attorney

Dated: July 10, 2020

/s/ Lexi Negin
Lexi Negin
Counsel for Defendant
FRED LAVENDER

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 13th day of July, 2020.



Troy L. Nunley
United States District Judge